

AFFIDAVIT

- 1) **AFFIANT/AGENT.** I, Kevin Backes, a Border Patrol Agent of the United States Border Patrol, Customs and Border Protection (USBP/CBP), have been employed by USBP/CBP for 22 years and am currently assigned to the Grand Forks Border Patrol Sector Prosecution Unit.

Your affiant has reason to believe that DOMINGUEZ-Jimenez, Candido (DOB: XX/XX/1981), illegally re-entered the United States after being removed, in violation of 8 U.S.C. § 1326(a) and (b)(1).

- 2) **INITIAL ENCOUNTER.** On January 25, 2025, at approximately 2:40 PM Border Patrol Agent (BPA) Johnson responded telephonically to a request for assistance from North Dakota Highway Patrol (NDHP). NDHP Trooper Byers had stopped a vehicle for speeding on Highway 2 near Niagara, ND. There were four occupants in the vehicle. The occupants presented what appeared to be Mexican identification cards and could not communicate in the English language. BPA Johnson conducted records checks on the subjects and found that two of the subjects had been removed from the United States and the other two appeared to be illegally present in the United States. One of the subjects, identified as DOMINGUEZ-Jimenez, Candido, was a match to a person who had been removed from the United States following a felony conviction.

BPA Johnson conducted an immigration inspection with each subject over the phone. Each subject admitted to being present in the United States illegally. At that time BPA Johnson requested that Trooper Byers transport the subjects to Grand Forks County Correctional Center and requested Grand Forks Sector Dispatch to place immigration detainers on the subjects.

The subjects were detained and transported to Pembina Station for processing.

- 3) **POST-ARREST INVESTIGATION.** On January 25, 2025, DOMINGUEZ-Jimenez was enrolled in the Next Generation Identification (NGI/IDENT) fingerprint identification system. The NGI/IDENT results revealed the following immigration and criminal histories.

DOMINGUEZ-Jimenez is a citizen and national of Mexico.

4) **IMMIGRATION HISTORY.**

1. Arrest Date: 12/03/2002
Agency: Immigration and Customs Enforcement Atlanta, GA
Charge: Section 237(a)(2)(A)(iii) of the INA – Agg Felony Commercial Bribery, Counterfeiting, Forgery, or Trafficking in Vehicles
Disposition: Subject was encountered while serving a sentence for a Felony Forgery conviction. Subject was processed as an Administrative Removal and was removed to Mexico at Laredo, TX on 12/28/2002.

5) CRIMINAL HISTORY.

1. Arrest Date: 08/05/2002
Agency: Cobb County Georgia Police Department
Charge: Forgery – 1st Degree Felony
Disposition: Convicted.

6) MIRANDA RIGHTS & CONSULAR NOTIFICATION. On January 25, 2025, BPA Smith, witnessed by BPA Johnson notified DOMINGUEZ-Jimenez of his Miranda Rights per Service Form I-214. DOMINGUEZ-Jimenez stated that he understood his rights. DOMINGUEZ-Jimenez was unwilling to answer questions at the time of processing.

BPA Smith notified DOMINGUEZ-Jimenez of his right to consular communication. DOMINGUEZ-Jimenez declined to speak with a consular official at that time.

No record could be found to indicate that DOMINGUEZ-Jimenez has ever applied for or been granted permission to re-enter the United States by the Attorney General or by his successor, the Secretary of the Department of Homeland Security.

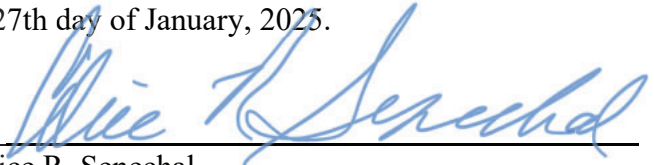
In my training and experience, the above facts constitute a violation of 8 U.S.C. § 1326(a) and (b)(1).

The foregoing is true and correct to the best of my knowledge and belief.



Kevin Backes
United States Border Patrol Agent

Sworn to me by reliable electronic means, this 27th day of January, 2025.



Alice R. Senechal
United States Magistrate Judge